

3761/June

JC03 Rec'd PCT/PTO 1 8 MAY 2005

ATTENTION:

OFFICE OF INITIAL  
PATENT EXAMINATION'S  
FILING RECEIPT CORRECTIONS

Attorney Docket No.: 9694D-000003/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Seiji AOYAGI et al.  
Application No.: 10/508,926 ✓  
Conf. No.: 8003  
Group No.: 3761  
Filed: April 21, 2005  
For: MEDICAL TREATMENT SYSTEM AND PRODUCTION METHOD  
THEREFOR

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**LETTER REQUESTING CORRECTED OFFICIAL FILING RECEIPT AND NOTICE  
OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
Mail Stop Missing Parts

May 18, 2005

Sir:

The Official Filing Receipt and Notice of Acceptance of Application mailed May 4, 2005; (copies attached herewith) do not reflect the correct **Domestic Priority date** and **the correct I.A. Filing Date** of the subject application. The incorrect International Filing Date herewith was present on the PCT transmittal. A revised PCT transmittal is submitted herewith with the correct International Filing Date in support of this request along with a copy

of the WO 03/080174 A1 document showing the highlighted International Filing date of November 29, 2002.

On the Official Filing Receipt the Domestic Priority Data should read as follows:

**This application is a 371 of PCT/JP02/12490 ~~09/24/2004~~ 11/29/2002**

On the Notice of Acceptance of Application the I.A. Date should read as follows:

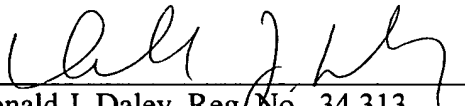
**~~09/24/2004~~ 11/29/2002**

Applicants respectfully request issuance of a corrected Official Filing Receipt and a corrected Notice of Acceptance of Application. Changes to be made are indicated in red on the attached copy of the Official Filing Receipt and copy of the Notice of Acceptance of Application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment of Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C

By   
Donald J. Daley, Reg. No. 34,313  
P.O. Box 8910  
Reston, VA 20195  
(703) 668-8000

DJD:let

Attachments: Copy of Official Filing Receipt with requested correction marked in red ink  
Copy of Notice of Acceptance of Application with requested correction marked in red ink  
Revised PCT Transmittal showing correction of International Filing Date  
Copy of International Application WO 03/080174 A1 w/abstract originally submitted showing highlighted correct International Filing Date

DP



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/508,926	04/21/2005	3761	1120	9694D-000003/US	21	24	16

CONFIRMATION NO. 8003

30596

HARNESS, DICKEY & PIERCE, P.L.C.  
 P.O. BOX 8910  
 RESTON, VA 20195

## FILING RECEIPT



\*OC000000015918869\*

Date Mailed: 05/04/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Seiji Aoyagi, Osaka, JAPAN;  
 Yoshitada Isono, Shiga, JAPAN;  
 Gen Hashiguchi, Kagawa, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 30596.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP02/12490 ~~09/24/2004~~ 11/29/2002

## Foreign Applications

JAPAN 2002-86423 03/26/2002

Projected Publication Date: 08/11/2005

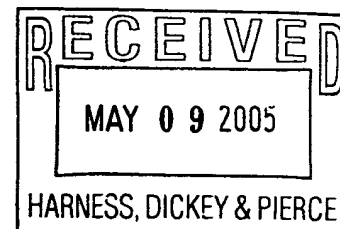
Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Medical treatment system and production method therefor



**Preliminary Class**

604

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/508,926	Seiji Aoyagi	9694D-000003/US

INTERNATIONAL APPLICATION NO.
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PCT/JP02/12490

LA. FILING DATE	PRIORITY DATE
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~~09/24/2004~~

03/26/2002

11/29/2002

CONFIRMATION NO. 8003

371 ACCEPTANCE LETTER



\*OC000000015918870\*

30596

HARNES, DICKEY & PIERCE, P.L.C.  
 P.O. BOX 8910  
 RESTON, VA 20195

Date Mailed: 05/04/2005

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

04/21/200504/21/2005

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
 (c)(4) REQUIREMENTS

DATE OF COMPLETION OF ALL 35 U.S.C. 371  
 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 09/24/2004
- English Translation of the IA filed on 09/24/2004
- Copy of the International Search Report filed on 09/24/2004
- Copy of IPE Report filed on 09/24/2004
- Copy of Annexes to the IPER filed on 09/24/2004
- Preliminary Amendments filed on 09/24/2004
- Information Disclosure Statements filed on 09/24/2004
- Oath or Declaration filed on 04/21/2005
- Request for Immediate Examination filed on 09/24/2004
- U.S. Basic National Fees filed on 09/24/2004

- Priority Documents filed on 09/24/2004

The following defects have been observed:

- Annexes have not been entered because YOU HAVE 2 SETS OF ART 34, YOUR PRE AMDT SAY CANCELLED CLAIMS 1-14, THEIR 25 CLAIMS IN PUBLISH APPLICATION. ONE OF ART 34 CLAIMS HAVE 15 CLAIMS, THE OTHER ART 34 HAVE 11 CLAIMS; THERE ARE NO CLAIMS 1-14.

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)

ATTORNEY'S DOCKET NUMBER  
9694D-000003/US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

NEW APPLICATION

EXPRESS MAIL LABEL NO.

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.

PCT/JP02/12490

INTERNATIONAL FILING DATE

~~September 24, 2004~~ November 29, 2002

PRIORITY DATE CLAIMED

August 3, 1999

TITLE OF INVENTION

MEDICAL TREATMENT SYSTEM AND PRODUCTION METHOD THEREFOR

APPLICANT(S) FOR DO/EO/US

Seiji AOYAGI, Yoshitada ISONO and Gen HASHIGUCHI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau). WO 01/08717 A1
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is transmitted herewith.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98-1449, International Search Report (PCT/ISA/210), International Preliminary Report (PCT/IPEA/409), Written Opinion (PCT/IPEA/408), Response to Written Opinion, and PTO Form 1449 with Thirteen (13) references.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - 1) Twenty-one (21) sheets of Formal Drawings
  - 2) Amended Letter w/ Amended Sheet (2 Sets)
  - 3) PCT Forms (PCT/IB/301, PCT/IB/304), PCT Request

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="text-align: center; font-weight: bold;">NEW APPLICATION</div>	INTERNATIONAL APPLICATION NO <div style="text-align: center;">PCT/JP02/12490</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">9694D-000003/US</div>
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. . . . . <b>\$1,080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. . . . . <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . <b>\$730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). . . . . <b>\$100.00</b> <div style="text-align: right; font-weight: bold;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	CALCULATIONS      PTO USE ONLY																				
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(e)).	\$      920.00																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>24 - 20 =</td> <td>4</td> <td>X \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>16 - 3 =</td> <td>13</td> <td>X \$86.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$ 2240.00</b></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	24 - 20 =	4	X \$18.00	Independent Claims	16 - 3 =	13	X \$86.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 2240.00</b>	\$      130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
Total Claims	24 - 20 =	4	X \$18.00																		
Independent Claims	16 - 3 =	13	X \$86.00																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00																		
<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 2240.00</b>																		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$      72.00																				
<div style="text-align: right; font-weight: bold;">SUBTOTAL =</div>	\$      1118.00																				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(f)).	\$      0.00																				
<div style="text-align: right; font-weight: bold;">TOTAL NATIONAL FEE =</div>	\$      1120.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +	\$																				
<div style="text-align: right; font-weight: bold;">TOTAL FEES ENCLOSED =</div>	\$      1120.00 PREVIOUSLY PAID																				
<div style="text-align: right; font-weight: bold;">Amount to be:</div>	\$																				
<div style="text-align: right; font-weight: bold;">refunded</div>	\$																				
<div style="text-align: right; font-weight: bold;">charged</div>	\$																				

a. ☒ A check in the amount of **\$1120.00** to cover the above fees is enclosed. (PREVIOUSLY SUBMITTED)

b. ☐ Please charge my Deposit Account. No. 08-0750 in the amount of \$      to cover the above fees.  
 A triplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-0750.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

Send all correspondence to:  
**Harness, Dickey & Pierce, P.L.C – Customer No. 30596**  
**Post Office Box 8910**  
**Reston, Virginia 20195**

**Date: May 18, 2005**

By Donald J. Daley  
 Donald J. Daley, #34,513

DJD/et